

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America  
 v.  
 Michael Edward STROTHER

Case No.

\_\_\_\_\_  
*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 14, 2023 in the county of Webb in the  
Southern District of Texas, the defendant(s) violated:

*Code Section*

8 USC 1324

*Offense Description*

Knowing and in reckless disregard of the fact that an alien had come to, entered, and remained in the United States in violation of law, did transport and move and attempted to transport and move and conspired to transport and move such alien within the United States by means of transportation and otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

Continued on Affidavit

☒ Continued on the attached sheet.

/S/Joshua O'Bannon

*Complainant's signature*

Joshua O'Bannon, Border Patrol Agent

*Printed name and title*

Sworn to before me and signed in my presence,

Date: October 17, 2023*Judge's signature*City and state: Laredo, Texas

Diana Song Quiroga, U.S. Magistrate Judge

*Printed name and title*

**AFFIDAVIT**

In support of Criminal Complaint

**UNITED STATES OF AMERICA**

**CRIMINAL COMPLAINT**

**V.**

Michael Edward STROTHER

Case Number:

On October 14, 2023, a Border Patrol Agent (BPA) was working her assigned duties at the United States Border Patrol checkpoint located at the 29-mile marker Interstate Highway 35 near Laredo, Texas, in Webb County. At approximately 9:45 P.M. a white tractor hauling a white trailer with one visible occupant approached the primary inspection lane.

BPA-1 began her inspection by greeting the driver, Michael Edward STROTHER, who is a United States citizen (USC). While BPA 1 conducted her immigration inspection she noticed STROTHER was speeding up his responses, answering nervously while eating an apple. BPA-2 (canine handler) along with her service canine began performing a free air sniff on the tractor. BPA-2 notified BPA-1 that her service canine had alerted to the presence of concealed people and/or narcotics in the tractor's cabin. BPA-1 asked STROTHER if she could enter the sleeping area. STROTHER responded, "I'm not going to lie there's people back there." BPA-1 confirmed with STROTHER, and he responded, "I'm just being honest." BPA 1 used her handheld radio to inform other agents of a smuggling attempt. BPA-1 waited for additional BPAs and instructed STROTHER to step down from the cabin. STROTHER was detained and escorted inside the checkpoint for further processing. BPA-1 and BPA-2 inspected the cabin of the tractor and located seven subjects hidden throughout different locations of the sleeper. BPA-1 and BPA-2 observed one subject who was concealed under blankets behind the driver seat, two subjects on the top bunk, one subject trapped inside one of the cabinets, and three subjects under the bed. BPAs conducted an immigration inspection on the subjects who were discovered inside the tractor and determined that they were all in the United States (U.S.) illegally. All subjects were escorted inside the checkpoint for further processing.

Michael Edward STROTHER was read his Miranda Rights and acknowledged he understood them by signing service form I-214. STROTHER invoked his right to an attorney and refused to provide a statement.

Abdiel Isai CASAOS-Martinez, a citizen of Mexico, is serving as a material witness in this case. CASAOS-Martinez stated he was going to pay approximately \$11,000.00 United States Dollars (USD) to be smuggled into the U.S., to his destination of Los Angeles, California. CASAOS-Martinez stated he crossed the Rio Grande River with six others on October 13, 2023. CASAOS-Martinez stated they walked approximately 30 minutes, and an unknown man picked them up and took them to a warehouse. CASAOS-Martinez stated they stayed at the warehouse until October 14, 2023, when an unknown man picked them up at the warehouse, switched vehicles a couple of times and were taken to a tractor trailer. CASAOS-Martinez stated that the driver instructed them to get inside and fix themselves in the cabin of the tractor. CASAOS-Martinez stated that it was dark in the cabin when the driver instructed them to get inside the tractor. CASAOS-Martinez stated once inside the tractor they did not get off until arriving at the checkpoint. CASAOS-Martinez was presented a six-person photo lineup and was not able to positively identify the driver.

SUBSCRIBED and SWORN to before me on

17th

day of

October, 2023

\_\_\_\_\_  
Signature of Judicial Officer

\_\_\_\_\_  
/S/ O'Bannon, Joshua Border Patrol Agent  
Signature of Complainant